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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,093	10/28/2003	Quintin T. Phillips	084061-0524	4840

22879 7590 04/09/2004

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EXAMINER

GRAINGER, QUANA MASHELL

ART UNIT	PAPER NUMBER
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2852

DATE MAILED: 04/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/695,093	PHILLIPS, QUINTIN T.	
	Examiner	Art Unit	
	Quana Grainger	2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-37 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 28-37 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. The formal drawings are approved by the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 28-29, 31-33, and 35-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Takamatsu et al. (4,875,077).

Takamatsu et al. teaches a method of printing using a print device, the print device comprising one or more consumables, each consumable comprising a process surface and each consumable enclosed in a protective housing having an exposure gap, the method comprising designating a region of the process surface as a non-use zone; avoiding the transfer of image information to the non-use zone during periods of printing; and positioning the non-use zone at an exposure gap during periods of printing (column 13, lines 33-61). The method further comprising designating a region of the process surface as an image zone; and controlling the process surface to facilitate the transfer of image information to and from the image zone during periods of printing (column 13, lines 33-61). The method for protecting a consumable component of a printing device, the consumable component encased within, a protective housing having an exposure gap,

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the method comprising defining a region of the consumable component as a non-use zone; positioning the non-use zone at the exposure gap during periods of nonprinting (Figure 11).

The method further comprising avoiding the transfer of image information to the non-use zone during periods of printing. The method further comprising defining a region of the consumable component as an image zone; and during periods of printing, transferring image information to and from the image zone; and avoiding the transfer of image information to the non-use zone (Figure 11). The consumable component is a photoconductor, the method further comprising defining a region of the photoconductor as an image zone; and exposing the image zone to a print medium through the exposure gap during periods of printing (column 13, lines 33-61). The consumable component is a photoconductor, the method further comprising: defining a region of the photoconductor as an image zone; and forming an image on the image zone by exposing the image zone to a photoelectric imaging process and dusting the image zone with toner through the exposure gap (column 13, lines 33-61).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary

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skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 30, 34, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takamatsu et al. in view of publication JP2002-258574A. Takamatsu et al. does not teach an intermediate transfer belt or a computer readable medium.

The publication teaches a computer-readable media having computer-readable instructions for performing the method as discussed above and an intermediate transfer belt having a transfer area. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching of Takamatsu et al. with the image forming device taught in the publication to prevent damage to the image holding region of the intermediate transfer belt as with the image forming belt (Takamatsu et al.; column 2, lines 30-36).

Prior Art of Record

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Phillips (6,666,595) teaches pertinent prior art.

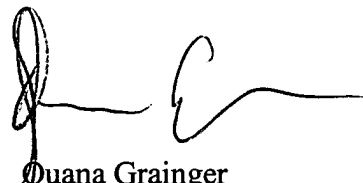
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quana Grainger whose telephone number is 571-272-2135. The examiner can normally be reached on M-F 7-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on 571-272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Quana Grainger
Primary Examiner
Art Unit 2852

QG